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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PADAM GIRI,)	No. C 07-5219 JCS
)	
Plaintiff,)	
)	
v.)	
)	
ROBERT MUELLER, III, Director, Federal)	STIPULATION TO STAY CASE
Bureau of Investigation; EMILIO)	MANAGEMENT CONFERENCE;
GONZALES, Director, U.S. Citizenship and)	PROPOSED ORDER
Immigration Services; MICHAEL)	
CHERTOFF, Secretary, Department of)	
Homeland Security; MICHAEL B.)	
MUKASEY, Attorney General, Department)	
of Justice; TERRY RICE, San Francisco)	
Field Office Director, USCIS; EMILIA)	
BARDINI, Director, Asylum Office, San)	
Francisco,)	
)	
Defendants.)	

On October 11, 2007, the Court issued a scheduling order, setting a Case Management Conference on January 18, 2008. On December 21, 2007, Defendants moved to dismiss the Complaint for lack of subject matter jurisdiction. The hearing on that motion is scheduled for February 8, 2008.

In order to promote efficiency, the parties hereby stipulate, subject to the Court's approval, to stay the CMC pending the Court's ruling on Defendants' Motion to Dismiss. Alternatively, the parties respectfully suggest continuing the Case Management Conference to February 8, 2008, to

1 be heard following the hearing on the Motion to Dismiss.

2 Dated: January 4, 2008

Respectfully submitted,

3 SCOTT N. SCHOOLS
4 United States Attorney

5 /s/
6 MELANIE L. PROCTOR¹
7 Assistant United States Attorney
Attorneys for Defendants

8 Dated: January 4, 2008

9 /s/
BEN LOVEMAN
Attorney for Plaintiff

10 **PROPOSED ORDER**

11 The Case Management Conference, scheduled for January 18, 2008, is hereby vacated. IT
12 IS SO ORDERED.

13
14 Date:

15 JOSEPH C. SPERO
United States Magistrate Judge

16 **ALTERNATIVE PROPOSED ORDER**

17 The Case Management Conference, scheduled for January 18, 2008, is hereby continued to
18 February 8, 2008, to be heard following the argument on Defendants' Motion. The Case
19 Management Statement shall be filed no later than February 1, 2008. IT IS SO ORDERED.

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21 Date:

22 JOSEPH C. SPERO
United States Magistrate Judge

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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a "conformed" signature (/S/) within this efiled document.